

## **Chief FOIA Officer Report for the Broadcasting Board of Governors (BBG)**

### **I. Steps Taken to Applying the Presumption of openness**

#### **1. Description**

The Broadcasting Board of Governors (BBG) is the federal agency that is responsible for all non-military U.S. Government-funded international broadcasting. BBG's mission is "to promote freedom and democracy and enhance understanding through multimedia communication of accurate, objective, and balanced news, information and other programming about America and the world to audiences overseas."

The Voice of America and the other elements of BBG-sponsored international broadcasting transmit news and information in 60 languages to a weekly audience of 175 million people in countries that do not have access to free press and media.

At the BBG, Freedom of Information Act (FOIA) requests are managed by the Office of the General Counsel. The Office directs incoming FOIA requests to a designated FOIA Officer, who fields the queries in consultation with the Agency's Chief FOIA Officer (typically, the Deputy General Counsel). BBG does not employ full-time FOIA personnel, but rather utilizes personnel with part-time or occasional duties.

In order to ensure that the presumption of openness is applied to all decisions involving the FOIA, the Chief FOIA Officer and Assistant General Counsel have read and understand the President's FOIA memorandum and the Attorney General's FOIA guidelines and endeavor to implement the presumption in response to FOIA requests to the agency. Whenever the BBG determines that it cannot make full disclosure of a requested record, it actively considers whether it can make a partial disclosure. Since the



President's directive was issued, BBG has actively sought not to withhold all or any portion of a requested responsive document.

## 2. Disclosure Comparisons

In Fiscal Year 2009, the Agency had 22 FOIA requests, of which five (5) requests were granted in full. In Fiscal Year 2008, 10 FOIA requests were received and 1 request was granted in full. The number of FOIA requests for Fiscal Year 2009 in which the request was partially granted was four (4), up from zero (0) for Fiscal Year 2008.

The BBG continues its longstanding practice of timely responding to FOIA requests. In Fiscal Year 2009, the BBG responded to requests on an average of 41 days for simple requests and 100 days for complex requests.

## II. Steps Taken to Ensure That Your Agency Has an Effective System for Responding to FOIA Requests

The BBG has taken a variety of steps to improve the effectiveness of its system for responding to FOIA requests.

First, starting in 2008, the Agency implemented an automated FOIA tracking system (FTS). The FTS includes report capabilities that allow for monitoring of FOIA processing and ensure proper and timely responses to FOIA requests. In 2009, the BBG updated and began systematically using the FTS to track all FOIA requests. In addition, the Agency's FOIA team worked closely with its IT division to make significant upgrades to the system's capabilities.

Second, in FY2009, BBG significantly expanded the FOIA capabilities of its staff. The Agency increased the number of Office of General Counsel personnel who deal with FOIA requests from one (1) employee handling FOIA requests on a part-time basis to five (5)

employees handling FOIA requests on a part-time basis. Each of these professionals has received formal FOIA training, including training in the implementation of the presumption of openness.

### III. Steps Taken to Increase Proactive Disclosures

As mentioned above, staff members in responding to FOIA requests are trained on the most current practices, including the guiding principles underlying the President's FOIA Memorandum and the Attorney General's FOIA Guidelines. In addition, the BBG's website contains a great deal of information made available to the public. Steps taken to increase proactive disclosures include the addition of web pages such as "About the Agency", "Press Room", and "Reports," which contain information about the Agency and its grantees. In addition, BBG includes a page on its website addressing the President's Open Government Directive. The Agency's FOIA page contains annual FOIA reports from 2000 to 2008 and will soon include the 2009 report. The BBG has also published high-value datasets through Data.gov in an effort to make our agency's information more accessible, as required by the President's Open Government Initiative.

### IV. Steps Taken to Greater Utilize Technology

1. Does your agency currently receive requests electronically?

No.

2. If not, what are the current impediments to your agency establishing a mechanism to receive requests electronically.

The BBG has not established a system to receive FOIA requests via email or online, but it is currently under consideration.

3. Does your agency track requests electronically?

Yes.

4. If not, what are the current impediments to your agency utilizing a system to track requests electronically.

n/a

5. Does your agency use technology to process requests?

Yes.

6. If not, what are the current impediments to your agency utilizing technology to process requests?

n/a

7. Does your agency utilize technology to prepare your agency Annual FOIA Report?

Yes.

8. If not, what are the current impediments to your agency utilizing technology in preparing your Annual FOIA Report?

n/a

#### V. Steps Taken to Reduce Backlogs and Improve Timeliness in Responding to Requests

##### 1. Backlog Status

At the end of FY2009, BBG had a backlog of 2 pending FOIA requests. The oldest pending request at the end of FY2009 was received by BBG on March 27, 2009. At the end of FY2008, BBG had a backlog of one (1) pending FOIA requests. Since the end of FY2009, BBG has responded to backlogged requests and continues to work on decreasing the backlog of FOIA requests. The Agency continues to take steps to decrease backlog as described below.



## 2. Backlog Reduction Steps

In order to further reduce backlog, the BBG FOIA team is in communication with requesters to close out pending requests. This is done through telephone calls and follow-up letters.

## 3. Steps to Improve Timeliness

We will continue to follow our backlog reduction steps.